

Public Rights of Way

Combined orders – the power to include definitive map modification orders within public path and analogous orders

Guidance for English Surveying Authorities to accompany The Public Rights of Way (Combined Orders) (England) Regulations 2008 (Statutory Instrument 2008 No. 442) as amended by The Public Rights of Way (Combined Orders) (England) (Amendment) Regulations 2010 (Statutory Instrument 2010 No. 2127)

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Introduction

1. Under section 53(2)(b) of the Wildlife and Countryside Act 1981 (WCA 1981), a surveying authority¹ is required to keep every definitive map and statement in its area under continuous review. As soon as reasonably practicable after the commencement of any of the events specified in section 53(3)², a surveying authority must make any necessary modifications to the definitive map and statement.
2. Before section 53A was inserted into the WCA 1981, the required modifications to definitive maps and statements could only be effected by means of a separate, free-standing modification order in the form prescribed by the Wildlife and Countryside (Definitive Maps and Statements) Regulations 1993 (S.I. 1993/12). For example, where a highway authority that is also a surveying authority, made an order which changed the network of public rights of way (for example, a public path creation order under the Highways Act 1980, section 26) they had to subsequently make a further order under section 53 WCA 1981 in order to record the change to the network on the definitive map and statement.
3. Section 51 and paragraph 2 of Schedule 5 to Countryside and Rights of Way Act 2000 inserted a new section 53A into the WCA 1981. Section 53A enables surveying authorities to include, in orders satisfying the criteria in section 53A(1), provisions to modify the definitive map and statement, thereby avoiding the need for a separate modification order. The requirements of section 53A(1) are set out in paragraph 7 below.
4. The Public Rights of Way (Combined Orders) (England) Regulations 2008 ([S.I. 2008/442](#)), as amended by the Public Rights of Way (Combined Orders) (England) (Amendment) Regulations 2010 ([S.I. 2010 No. 2127](#)) [the Combined Orders Regulations], apply section 53A to the type of orders listed in regulation 3 of those Regulations. Broadly, these are orders which change the network of public rights of way. For example, where a surveying authority makes a public path creation order under section 26 of the Highways Act 1980 affecting land covered by a definitive map and the order does not affect land outside that authority's area, the surveying authority may include provision for the consequential modification of the definitive map and statement in the public path creation order, instead of making a separate modification order.

¹ A "surveying authority", in relation to any area, means the county council, county borough council, metropolitan district council or London borough council whose area includes that area (section 66(1) WCA 1981).

² Those events include the coming into operation of an enactment or instrument or any other event, whereby: a highway shown or required to be shown in the definitive map and statement is authorised to be stopped up, diverted, widened or extended; or the status of such a highway has changed; or a new public path or restricted byway has been created over land in the area covered by a definitive map.

5. For the purposes of this guidance note, an order which satisfies the requirements in section 53A(1) and includes provisions for the consequential modification of a definitive map and statement is referred to as a 'combined order'. See paragraph 8 below for further details of the types of orders that can be made as combined orders.
6. Separate modification orders will continue to be necessary for changes to the network made by orders or instruments not covered by section 53A(1). These include orders made by authorities other than surveying authorities, or by the Secretary of State and also creation agreements and cycle tracks orders. Even where section 53A(1) does apply, surveying authorities may continue to make separate modification orders if they wish to.

The types of orders that may be made as combined orders

7. A combined order can only be made where all of the following criteria are satisfied³—
 - The order is of a type prescribed by regulations made by the Secretary of State – the Combined Orders Regulations are the only regulations which prescribe types of order to which section 53A WCA 1981 applies. The types of order prescribed by such Regulations are set out in paragraph 8 below;
 - The coming into operation of the order would be an event within section 53(3)(a) of the WCA 1981. These events are the following:
 - a highway shown or required to be shown in the map and statement has been authorised to be stopped up diverted, widened or extended;
 - a highway shown or required to be shown in the map and statement as a highway of a particular description has ceased to be a highway of that description; or
 - a new right of way has been created over land in the area to which the map relates, being a right of way such that the land over which the right subsists is a public path or restricted byway.
 - The order is made by the surveying authority; and
 - The order does not affect land outside the authority's area.

³ see section 53A(1).

8. The Combined Orders Regulations provide that section 53A applies to the following types of orders. Regulation 3 of those Regulations gives further details⁴-

- Orders made under any of the following provisions of the Highways Act 1980:
 - section 26 (compulsory powers for creation of footpaths, bridleways and restricted byways);
 - section 118 (stopping up of footpaths, bridleways and restricted byways);
 - section 118A (stopping up of footpaths, bridleways and restricted byways crossing railways);
 - subsection (4) of section 118B (stopping up of certain highways for purposes of crime prevention, etc);
 - section 119 (diversion of footpaths, bridleways and restricted byways);
 - section 119A (diversion of footpaths, bridleways and restricted byways crossing railways);
 - subsection (4) of section 119B (diversion of certain highways for purposes of crime prevention, etc);
 - section 119D (diversion of certain highways for protection of sites of special scientific interest);
- Orders made under section 32 (power to extinguish certain public rights of way) of the Acquisition of Land Act 1981;
- Orders made under section 294 (extinguishment of public rights of way over acquired land) of the Housing Act 1985;and
- Orders made under any of the following provisions of the Town and Country Planning Act 1990:
 - subsection (2A) of section 247 (highways affected by development: orders by Secretary of State);
 - section 257 (footpaths, bridleways and restricted byways affected by development: orders by other authorities);
 - subsection (1) of section 258 (extinguishment of public rights of way over land held for planning purposes).

⁴ Even where the order is of a type listed in regulation 3(a)-(d) of the 2008 Regulations, a combined order can only be used where the order also meets the requirements in paragraphs (b) to (d) of section 53A(1). Those requirements are set out in full in paragraph 7 of the guidance.

Main features of combined orders

9. Section 53A enables a surveying authority to include in certain orders those modifications that it would be required to make to the definitive map and statement under section 53(2)(b) WCA 1981 (i.e. the modifications to the map and statement which it considers are necessary in consequence of the coming into operation of the other provisions of the order)⁵.
10. At any time before the order comes into operation, a surveying authority may withdraw a combined order and replace it with an otherwise identical order which does not include provisions to modify the definitive map and statement, without having to repeat any of the statutory procedures already completed⁶. A surveying authority is required to withdraw and substitute the combined order as above if it becomes subject to special parliamentary procedure⁷.
11. Any powers that a surveying authority has to modify an order to which section 53A(1) applies are extended to enable the surveying authority to also modify the provisions in a combined order which effect the consequential modifications to the definitive map and statement. According to section 53A(5), such provisions do not have to be confirmed separately.
12. The provisions effecting the consequential modifications to a definitive map and statement contained in a combined order will take effect on the date specified as the 'relevant date'. Please refer to paragraphs 19 to 22 for further information on this.
13. Where any enactment enables the validity of an order to be questioned, any provision effecting the consequential modification to a definitive map and statement contained in a combined order may be questioned in the same way but only on the grounds that such provision is not within the powers set out in Part III WCA Act 1981, or that any requirement of such Part – or of regulations made under it – has not been complied with⁸. The Secretary of State may make regulations specifying that procedural requirements as to the making or coming into operation of an order to which section 53A(1) applies shall not apply (or shall apply with specified modifications) to provisions effecting the consequential modifications to a definitive map and statement contained in a combined order⁹.

⁵ see section 53A(2) WCA 1981.

⁶ see sections 53A(3)(a) and (4) WCA 1981.

⁷ see section 53A(3)(b) WCA 1981. Under the Statutory Orders (Special Procedure) Act 1945 (s.1(2)), where an order is expressed in an Act to be subject to special parliamentary procedure (SPP), such order will be of no effect until it has been brought into operation in accordance with the provisions of the 1945 Act. For an example of a provision which requires an order to be subject to SPP, please see paragraph 2(2) of Part 1, Schedule 6 to the Highways Act 1980.

⁸ see section 53A(7) WCA 1981.

⁹ see section 53(A)(8) – this section is subject to paragraphs (5) to (7) of section 53A.

14. The notation used in combined orders to show modifications to rights of way to which Part III of the WCA 1981 (public rights of way) applies should, as with separate modification orders, follow the notation indicated in Schedule 1 to the Wildlife and Countryside (Definitive Maps and Statements) Regulations 1993 (SI 1993/12). Any limitations and conditions applying to the right of way must also be recorded on the definitive statement¹⁰. Regulation 6 of the Combined Orders Regulations specify a scale of not less than 1:2,500 for any map contained in a combined order.

Model forms of combined orders

15. Regulation 5 of the Combined Orders Regulations requires that, where a combined order is to be made, the combined order shall be in the form prescribed for an order of the type in question (e.g. public path creation order), as modified in the Schedule to the Combined Orders Regulations¹¹; or in a form substantially to the like effect, with such insertions or omissions as are necessary in any particular case. Examples of model forms of combined orders are set out in Annex 1.

16. In these model forms of combined order, the text modified by the Schedule to the Combined Orders Regulations is shown underlined.

17. In the case of a free-standing definitive map modification order, Schedule 2 (Form of Modification Order) to the Wildlife and Countryside (Definitive Maps and Statements) Regulations 1993 (SI 1993/12) includes a description of how the definitive map and statement is to be modified by reference to the position, length, and width of the path or way to be deleted or added, as indicated on an attached map.

18. The form of a combined order includes a description of the way(s) to be added to, amended or deleted from the definitive map. It also includes a description of the way(s) as it/(they) would be shown in the modified definitive statement. The form of words may also include any necessary consequential amendments to other rights of way shown on the map and statement. In completing this part of the order surveying authorities will need to include the form of words that would be used to effect the modification, at such time as the definitive map and statement is consolidated under section 57 or 57A of the Wildlife and Countryside Act 1981. In particular, where combined orders are used to effect partial diversions, a description of the full resulting path or way should also be included.

¹⁰ see section 53(4)(b).

¹¹ The Public Rights of Way (Combined Orders) (England) (Amendment) Regulations 2010 (S.I. 2010 No. 2127) substituted a new schedule for that in the 2008 Regulations .

The 'relevant date'

19. Section 56(3A) WCA 1981¹² requires surveying authorities to specify the 'relevant date' in every combined order and such date is to be determined in accordance with regulations made by the Secretary of State.
20. The relevant date under the Combined Orders Regulations is specified in regulation 4 as the date upon which the stopping up (which is also referred to as an extinguishment), diversion or creation of the path effected by the combined order comes fully into effect. This would be when the new route is certified, where the legislation provides for this.
21. The Combined Orders Regulations do not contain any provision for combined orders to record the relevant date on the face of the order. Surveying authorities are therefore advised to append a note to each order, recording the relevant date for future reference and for the public inspection of such orders. Surveying authorities are also advised to keep other relevant documents (such as notices of confirmation or certificates that a new way has been constructed to the satisfaction of the highway authority) with the order for the purposes of reference or inspection.
22. Section 53(3) WCA 1981 continues to apply where separate modification orders are made. This provision requires that every modification order specifies as the relevant date, such date not being earlier than six months before the making of the order, as the authority may determine.

¹² Section 53(3A) WCA 1981 was inserted by section 51 and paragraph 6(6) of Schedule 5 to the Countryside and Rights of Way Act 2000.

Annex 1 – Model forms of order

Section 26 of the Highways Act 1980, SI 1993/11, Schedule 1, Form 1

PUBLIC PATH CREATION AND DEFINITIVE MAP AND STATEMENT
MODIFICATION ORDER
HIGHWAYS ACT 1980
WILDLIFE AND COUNTRYSIDE ACT 1981
[NAME OF AUTHORITY]

[TITLE OF ORDER]

This Order is made by [*name of authority*] ("the authority") under section 26 of the Highways Act 1980 ("the 1980 Act") because it appears to the authority that, having regard to the matters set out in section 26(1), there is a need for a public [footpath] [bridleway] [(restricted byway)] over the land to which this order relates, and that it is expedient that the [path] [way] should be created.

This order is also made under section 53A(2) of the Wildlife and Countryside Act 1981 ("the 1981 Act") because it appears to the authority that the [*title*] definitive map and statement require modification in consequence of the occurrence of an event specified in section 53(3)(a)(iii) of the 1981 Act, namely, the creation (as authorised by this Order) of a new right of way over land in the area to which the map relates, being a right of way such that the land over which the right subsists is a [public path][restricted byway].

The [*name of authority or authorities consulted*] [has] [have] been consulted as required by section 26(3) of the 1980 Act.

BY THIS ORDER:

1. There shall be at the end of days from the date of confirmation of this order a public [footpath] [bridleway] [(restricted byway)] over the land at described in [Part 1 of] the Schedule to this order and shown by a bold broken line on the map attached to this order, and thereupon the [*title*] definitive map shall be modified by adding that [path][way] to it, and the definitive statement shall be modified as described in [Part 2][Part 3] of the Schedule to this order.

[2. The rights conferred on the public under this order shall be subject to the limitations and conditions set out in Part 2 of the Schedule.]

SCHEDULE

[PART 1]

DESCRIPTION OF LAND

Annex 1 – Model forms of order

[Describe position, length and width of path or way in sections, e.g. A-B, B-C, etc., as indicated on the map.]

[PART 2]

[LIMITATIONS AND CONDITIONS]

<i>[Position of path or way to which limitations and conditions apply</i>	<i>Limitations and conditions]</i>
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[PART 3]

Modification Of Definitive Statement

Variation of Particulars of Path or Way

[Set out intended amendment.]

NOTE: Insert or omit words in square brackets and blank spaces as appropriate.
Renumber Parts as appropriate.

Annex 1 – Model forms of order

Section 119 of the Highways Act 1980 – SI 1993/11, Schedule 1, Form 2

PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND STATEMENT
MODIFICATION ORDER
HIGHWAYS ACT 1980
WILDLIFE AND COUNTRYSIDE ACT 1981

[NAME OF AUTHORITY]

[TITLE OF ORDER]

This Order is made by [*name of authority*] ("the authority") under section 119 of the Highways Act 1980 ("the 1980 Act") because it appears to the authority that in the interests of [the [owner] [lessee] [occupier] of the land crossed by the [footpath] [bridleway] [(restricted byway)] described in paragraph 1 of this order] [the public] it is expedient that the line of the [path] [way] should be diverted.

This order is also made under section 53A(2) of the Wildlife and Countryside Act 1981 ("the 1981 Act") because it appears to the authority that the [title] definitive map and statement require modification in consequence of the occurrence of an event specified in section 53(3)(a)(i) of the 1981 Act, namely, the diversion (as authorised by this Order) of a highway shown or required to be shown in the map and statement.

[has agreed to [contribute towards] [defray] [any compensation which becomes payable in consequence of the coming into force of this order] [and] [any expenses which are incurred in bringing the new site of the [path] [way] into a fit condition for use by the public.]

[*Name of authority consulted*] [and Natural England] have been consulted [and [*name of consenting authority or authorities*] have consented to the making of the order] as required by section 120(2) of the 1980 Act;

BY THIS ORDER:

1. The public right of way over the land situate at and shown by a bold continuous line on the map contained in this order and described in [Part 1 of] the Schedule to this order shall be stopped up after days from the date of confirmation of this order, and thereupon the [title] definitive map shall be modified by deleting from it that public right of way.

[2. Notwithstanding this order [*name of statutory undertakers*] shall have the following rights over the land referred to in paragraph 1 namely:—]

Annex 1 – Model forms of order

3. There shall at the end of days from the date of confirmation of this order be a public [footpath] [bridleway] [(restricted byway)] over the land situate at described in [Part 2 of] the Schedule and shown by a bold broken line on the map contained in this order, and thereupon the [*title*] definitive map shall be modified by adding that [path][way] to it.

3A. The [*title*] definitive statement shall be modified as described in [Part 4] of the Schedule to this order.

[4. The rights conferred on the public under this order shall be subject to the limitations and conditions set out in Part 3 of the Schedule.]

SCHEDULE

[PART 1]

DESCRIPTION OF SITE OF EXISTING PATH OR WAY

[Describe position, length and width of path or way in sections, e.g. A-B, B-C etc., as indicated on the map.]

[PART 2]

DESCRIPTION OF SITE OF NEW PATH OR WAY

[Describe position, length and width of path or way in sections, e.g. C-D, D-E etc., as indicated on the map.]

[PART 3]

[LIMITATIONS AND CONDITIONS]

<i>[Position of path or way to which limitations and conditions apply</i>	<i>Limitations and conditions]</i>
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[PART 4]

Modification of Definitive Statement

Variation of particulars of path or way

[Set out intended amendments.]

NOTE: Insert or omit words in square brackets and blank spaces as appropriate.
Renumber paragraphs as appropriate.

Annex 1 – Model forms of order

Section 257 of the Town and Country Planning Act 1990 – SI 1993/10, Schedule 1, Form 1

PUBLIC PATH (STOPPING UP) (DIVERSION) AND DEFINITIVE MAP AND
STATEMENT MODIFICATION ORDER

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 257
WILDLIFE AND COUNTRYSIDE ACT 1981, SECTION 53(A)(2)

[TITLE OF ORDER]

This order is made by [*name of authority*] under section 257 of the Town and Country Planning Act 1990 because it is satisfied that it is necessary to [stop up] [divert] the [footpath] [bridleway] [(restricted byway)] to which this order relates in order to enable development to be carried out [in accordance with planning permission granted under Part III of the Town and Country Planning Act 1990][by a government department] namely: [*insert description of development and, if appropriate, name of department*].

This order is also made under section 53A(2) of the Wildlife and Countryside Act 1981 (“the 1981 Act”) because it appears to the authority that the [*title*] definitive map and statement require modification in consequence of the occurrence of an event specified in section 53(3)(a)(i) of the 1981 Act, namely, the [stopping up][diversion] (as authorised by this Order) of a highway hitherto shown or required to be shown in the map and statement.

BY THIS ORDER:

1. The [footpath] [bridleway] [(restricted byway)] over the land shown by a bold black line on the attached map and described in Part 1 of the Schedule to this order (“the Schedule”) shall be [stopped up] [diverted], and the [*title*] definitive map and statement shall be modified as provided below.

[2. There shall be created to the reasonable satisfaction of [*name of authority*] an alternative highway for use as a replacement for the said [footpath] [bridleway] [(restricted byway)] as provided in Part 2 of the Schedule and shown by bold black dashes on the attached map.]

[2. The [footpath] [bridleway] [(restricted byway)] over the land described in Part 3 of the Schedule and shown hatched black on the attached map shall be improved to the reasonable satisfaction of [*name of authority*] by [*description of improvement*].]

3. The [stopping up] [diversion] of the [footpath] [bridleway] [(restricted byway)] shall have effect on [the date on which [*name of authority*] certify that the terms of Article 2 above have been complied with] [the confirmation of this order], and upon the occurrence of that [stopping up][diversion] the [*title*] definitive map shall be modified by

Annex 1 – Model forms of order

deleting from it the path or way referred to in paragraph 1 of this order [and the path or way referred to in paragraph 2 of this order shall be added to it, and the definitive statement shall be modified as described in [Part 3][Part 4] of the Schedule.

[4. The following works [may] [shall] be carried out in relation to the highway described in Part [1] [2] [3] of the Schedule: *[description of works].*]

[5. *[Name of person]* is hereby required to [pay] [make the payments of *[details of payments]*] [for] [towards] the cost of carrying out the said works.]

[6. Where immediately before the date on which the [footpath] [bridleway] [(restricted byway)] is [stopped up] [diverted] there is apparatus under, in, on, over, along or across it belonging to statutory undertakers for the purpose of carrying on their undertaking, the undertakers shall continue to have the same rights in respect of the apparatus as they then had.]

SCHEDULE

PART 1

Description of site of existing path or way
[Describe position and width, where necessary in sections, e.g. A-B, B-C etc. as indicated on the map.]

PART 2

Description of site of alternative highway
[Describe position and width, where necessary in sections, e.g. D-E, E-F etc. as indicated on the map.]

PART 3

Description of existing highway to be improved
[Describe position and width, where necessary in sections, e.g. G-H, H-I etc. as indicated on the map.]

PART 4

Modification of Definitive Statement

Variation of particulars of path or way

[Set out intended amendments.]

NOTE: Insert or omit words in square brackets as appropriate. Renumber Parts as appropriate.

Annex 2 – The primary legislation

Section 53A Power to include modifications in other orders

- (1) This section applies to any order—
 - a) which is of a description prescribed by regulations made by the Secretary of State,
 - b) whose coming into operation would, as regards any definitive map and statement, be an event within section 53(3)(a),
 - c) which is made by the surveying authority, and
 - d) which does not affect land outside the authority's area.

- (2) The authority may include in the order such provision as it would be required to make under section 53(2) (b) in consequence of the coming into operation of the other provisions of the order.

- (3) An authority which has included any provision in an order by virtue of subsection (2) —
 - a) may at any time before the order comes into operation, and
 - b) shall, if the order becomes subject to special parliamentary procedure, withdraw the order and substitute for it an order otherwise identical but omitting any provision so included.

- (4) Anything done for the purposes of any enactment in relation to an order withdrawn under subsection (3) shall be treated for those purposes as done in relation to the substituted order.

- (5) No requirement for the confirmation of an order applies to provisions included in the order by virtue of subsection (2), but any power to modify an order includes power to make consequential modifications to any provision so included.

- (6) Provisions included in an order by virtue of subsection (2) shall take effect on the date specified under section 56(3A) as the relevant date.

- (7) Where any enactment provides for questioning the validity of an order on any grounds, the validity of any provision included by virtue of subsection (2) may be questioned in the same way on the grounds—
 - (a) that it is not within the powers of this Part, or
 - (b) that any requirement of this Part or of regulations made under it has not been complied with.

- (8) Subject to subsections (5) to (7), the Secretary of State may by regulations provide that any procedural requirement as to the making or coming into operation of an order to which this section applies shall not apply, or shall apply

Annex 2 – The primary legislation

with modifications prescribed by the regulations, to so much of the order as contains provision included by virtue of subsection (2).

(9) Regulations under this section shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Section 56(3A) Every order to which section 53A applies which includes provision made by virtue of subsection (2) of that section shall specify, as the relevant date for the purposes of the order, such date as the authority may in accordance with regulations made by the Secretary of State determine.

Section 57 Supplementary provisions as to definitive maps and statements

(1) An order under the foregoing provisions of this Part shall be in such form as may be prescribed by regulations made by the Secretary of State, and shall contain a map showing the modifications to which the order relates.

(2) Regulations made by the Secretary of State may prescribe the scale on which maps are to be prepared under subsection (1) or any other provision of this Part, and the method of showing in definitive maps and statements anything which is required to be so shown.

(3) Where, in the case of a definitive map and statement for any area which have been modified in accordance with the foregoing provisions of this Part, it appears to the surveying authority expedient to do so, they may prepare a copy of that map and statement as so modified; and where they do so, the map and statement so prepared, and not the map and statement so modified, shall be regarded for the purposes of the foregoing provisions of this Part, and for the purposes of section 57A(1), as the definitive map and statement for that area.

(3A) Where as respects any definitive map and statement the requirements of section 53(2), and of section 55 so far as it applies, have been complied with, the map and statement are to be regarded for the purposes of subsection (3) as having been modified in accordance with the foregoing provisions of this Part whether or not, as respects the map and statement, the requirements of section 54 have been complied with.

(4) The statement prepared under subsection (3) shall specify, as the relevant date for the purposes of the map, such date, not being earlier than six months before the preparation of the map and statement, as the authority may determine.

(5) As regards every definitive map and statement, the surveying authority shall keep—

- a) a copy of the map and statement; and
- b) copies of all orders under this Part modifying the map and statement,

Annex 2 – The primary legislation

available for inspection free of charge at all reasonable hours at one or more places in each district comprised in the area to which the map and statement relate and, so far as appears practicable to the surveying authority, a place in each parish so comprised; and the authority shall be deemed to comply with the requirement to keep such copies available for inspection in a district or parish if they keep available for inspection there a copy of so much of the map and statement and copies of so many of the orders as relate to the district or parish.

(5A) Subsection (5) shall apply in relation to land in Wales as if “in each district comprised” were omitted.

(6) Notwithstanding anything in subsection (5), an authority shall not be required to keep available for inspection more than one copy of—

(a) any definitive map and statement; or

(b) each order under this Part modifying the map and statement,

if, as respects the area to which that map and statement relate, a subsequent map and statement have been prepared under subsection (3); and the said single copies may be kept in such place in the area of the authority as they may determine.

(6A) In subsection (1), the reference to an order under the foregoing provisions of this Part includes a reference to so much of an order to which section 53A applies as contains provision made by virtue of subsection (2) of that section; and subsections (5) and (6) apply to

(a) orders to which section 53A applies modifying the map and statement, and

(b) such documents relating to them as may be prescribed by regulations made by the Secretary of State,

as those subsections apply to orders under this Part modifying the map and statement.

(6B) Regulations under paragraph (b) of subsection (6A) may require any document to be prepared by a surveying authority for the purposes of that paragraph, and any such document shall be in such form as may be prescribed by the regulations.

(6C) Regulations made by the Secretary of State may require any surveying authority—

a) to keep such other documents as may be prescribed by the regulations

Annex 2 – The primary legislation

available for inspection at such times and places and in such manner as maybe so prescribed, or

- b) to provide to any other surveying authority any document so prescribed which that authority is, by regulations under paragraph (a), required to keep available for inspection.

(7) Every surveying authority shall take such steps as they consider expedient for bringing to the attention of the public the provisions of this Part including, in particular, section 53(5) and subsection (5).

(8) Regulations under this section shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.